



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY	COUNCIL MEMBERS
Dennis Kennedy, Chair	Dennis Kennedy, Mayor
Hedy L. Chang, Vice-Chair	Hedy Chang, Mayor Pro Tempore
Larry Carr, Agency	Larry Carr, Council Member
Greg Sellers, Agency Member	Greg Sellers, Council Member
Steve Tate, Agency Member	Steve Tate, Council Member

WEDNESDAY, MAY 28, 2003

AGENDA

JOINT MEETING

REDEVELOPMENT AGENCY REGULAR MEETING

and

CITY COUNCIL SPECIAL MEETING

7:00 P.M.

***A Regular Redevelopment Agency and Special City Council Meeting Is Called
At 7:00 P.M. for the Purpose of Conducting Closed Sessions and City Business.***

Dennis Kennedy, Chairperson/Mayor

CALL TO ORDER

(Chairperson/Mayor Kennedy)

ROLL CALL ATTENDANCE

(Agency Secretary/City Clerk Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(Agency Secretary/City Clerk Torrez)

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

CITY COUNCIL SUBCOMMITTEE REPORTS

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

Redevelopment Agency Action

CONSENT CALENDAR:

- ITEM 1** The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

- 1. APRIL 2003 FINANCE AND INVESTMENT REPORT 1**
Recommended Action(s): Accept and File Report.

City Council Action

CONSENT CALENDAR:

ITEMS 2-4

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

- 2. PERFORMANCE MEASURE UPDATE – MAY 2003 11**
Recommended Action(s): Receive and File Report.

3. **RESPONSE TO SANTA CLARA COUNTY CIVIL GRAND JURY INQUIRY INTO HIRING PRACTICES FOR YOUTH SPORTS COACHES** 23
Recommended Action(s): **Approve** Response to Grand Jury Report.
4. **APPROVE SPECIAL CITY COUNCIL MEETING MINUTES FOR MAY 15, 2003** 33

Redevelopment Agency and City Council Action

OTHER BUSINESS:

- | Time Estimate | Page |
|---|-------------|
| 5. 5 Minutes <u>INVESTMENT POLICY UPDATE</u> | 35 |
| <u>Recommended Action(s):</u> | |
| 1. Review and Adopt the Updated Investment Policy for the City; and | |
| 2. Review and Adopt the Updated Investment Policy for the Redevelopment Agency. | |

City Council Action

PUBLIC HEARINGS:

- | Time Estimate | Page |
|--|-------------|
| 6. 20 Minutes <u>MEASURE P APPEAL APPLICATION AP-03-01: EAST DUNNE - DEMPSEY</u> | 81 |
| Public Hearing Opened. | |
| Please Limit Your Remarks to 3 Minutes. Public Hearing Closed | |
| Council Discussion. | |
| Action- <u>Deny Appeal</u> and <u>Adopt</u> Resolution With Findings. | |
| <u>OR</u> | |
| Action- <u>If Appeal is Granted, Direct</u> Planning Commission to Modify Allotment | |
| Evaluation and Final Distribution of the Building Allotment, if Applicable. | |
| 7. 15 Minutes <u>MEASURE P APPEAL APPLICATION AP-03-02: BARRETT - ODISHOO</u> | 107 |
| Public Hearing Opened. | |
| Please Limit Your Remarks to 3 Minutes. Public Hearing Closed | |
| Council Discussion. | |
| Action- <u>Deny Appeal</u> and <u>Adopt</u> Resolution With Findings. | |
| <u>OR</u> | |
| Action- <u>If Appeal is Granted, Direct</u> Planning Commission to Modify Allotment | |
| Evaluation and Final Distribution of the Building Allotment, if Applicable. | |
| 8. 25 Minutes <u>MEASURE P APPEAL APPLICATION AP-03-03: WEST EDMUNDSON – PINN BROTHERS</u> | 131 |
| Public Hearing Opened. | |
| Please Limit Your Remarks to 3 Minutes. Public Hearing Closed | |
| Council Discussion. | |
| Action- <u>Deny Appeal</u> and <u>Adopt</u> Resolution With Findings. | |
| <u>OR</u> | |
| Action- <u>If Appeal is Granted, Direct</u> Planning Commission to Modify Allotment | |
| Evaluation and Final Distribution of the Building Allotment, if Applicable. | |

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
9.	20 Minutes	<u>COMMUNITY INDOOR RECREATION CENTER APPROVAL OF SUBCOMMITTEE RECOMMENDATIONS</u>	165
		<u>Recommended Action(s):</u>	
		1. <u>Receive</u> Subcommittee Report; and	
		2. <u>Approve</u> Subcommittee Recommendations.	
10.	15 Minutes	<u>BUSINESS TERMS FOR THE ACQUISITION OF 16200 VINEYARD BOULEVARD FOR A POLICE FACILITY</u>	227
		<u>Recommended Action(s):</u>	
		1. <u>Approve</u> the Business Terms; and	
		2. <u>Direct</u> the City Manager to Prepare and Negotiate the Necessary Agreements for the Acquisition and Lease of 16200 Vineyard Boulevard.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

Redevelopment Agency Action and City Council Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Initiation of Litigation

Authority: Government Code Sections 54956.9(b) & (c)

Number of Potential Cases: 2

2.

CONFERENCE WITH LABOR NEGOTIATOR:

Authority: Government Code Section 54957.6

Agency Negotiators: Ed Tewes, City Manager; Helene L. Leichter, City Attorney; Mary Kaye Fisher, Human Resources Director

Employee Organization: AFSCME Local 101
Morgan Hill Community Service Officers Association
Morgan Hill Police Officers Association

Unrepresented Employees: Custodian/Building Maintenance Worker
Government Access Technician
Maintenance Worker Assistant
Utility Worker Assistant

Executive Management Group 1-A
Chief of Police
Director of Business Assistance & Housing Services

Director of Community Development
Director of Finance
Director of Public Works/City Engineer
Human Resources Director
Recreation and Community Services Manager
Assistant to the city Manager
Council Services and Records Manager

Middle Management Group 1-B

Police Captain
Deputy Director of Public Works
Assistant City Attorney
Assistant Director of Finance
Chief Building Official
Human Resources Supervisor
Planning Manager
Senior Civil Engineer
Budget Manager
Business Assistance and Housing Services Manager
Police Support Services Supervisor
Senior Planner
Project Manager
Utility Systems Manager
Recreation Supervisor
Secretary to the City Manager

Confidential Non-Exempt Employees Group 1-C

Administrative Analyst
Secretary to the City Attorney
Accounting Technician
Human Resources Assistant

3.

EXISTING LITIGATION

Authority: Government Code section 54956.9(a)
Case Name/Number: Santa Teresa Citizen Action Group et al. v. Bay Area Air Quality Management
District (San Francisco Superior Court, CPF-02-50164).

4.

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code 54957
Public Employee Performance Evaluation: City Manager
Attendees: City Council, City Manager

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

ADJOURNMENT